IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

LA.App..No. 1654 of 2002()

LAR.31/1995 of II ADDL.SUB COURT,TRIVANDRUM
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APPELLANT: RESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI.NOBLE MATHEW

RESPONDENTS: CLAIMANTS:
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1. SMT.PRASANNA, T.C.XI/422,
D.S. BUNGLOW, NANTHANCODE,
THIRUVANANTHAPURAM.

2. ADDL.2.
BHARGAVI, D/O. PARVATHY, AGED 72,
D.S. BUNGLOW, TC XI/422, NANTHANCODE,
THIRUVANANTHAPURAM. (DIED)

3. ADDL.3.
VISHNU, S/O. LATE SUNDARESAN,
AGED 8 (MINOR), D.S. BUNGLOW,
T.C.XI/422, NANTHANCODE,
THIRUVANANTHAPURAM.

ADDL. 4. SRI.SWARNA DAS, S/O.BHARGAVI, D.S.BUNGLOW,
NANTHANCODE, THIRUVANANTHAPURAM.

" 5. SMT.RATNAMA, D/O.BHARGAVI, PRAKASH HOUSE, KANAKA
NAGAR, THIRUVANANTHAPURAM.

" 6. SMT.LALITHAMBIKA, D/O.BHARGAVI, PRAKASH HOUSE, KANAKA NAGAR, THIRUVANANTHAPURAM.

" 7. SRI.D.S.THAMPI, S/O.BHARGAVI, THAMPI VILASAM NN.C.C.ROAD, KUDAPPANAKUNNU.

" 8. SMT.LAILA, D/O.BHARGAVI, RATNAVILASOM BUNGLOW, RAJEEV LANE, NANTHANCODE.

" 9. RAJEEV, THEKKUM MOODU, PATTOM VILLAGE, THIRUVANANTHAPURAM.

" 10. SURESH, THEKKUM MOODU, PATTOM VILLAGE, THIRUVANANTHAPURAM.

(ADDL.RESPONDENTS 4 TO 10 ARE IMPLEADED AS PER ORDER DATED 26.7.07 IN I.A.NO.3036/2005)

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & M.N.KRISHNAN, JJ.

L.A.A.No.1654 OF 2002

Dated 26th July, 2007

JUDGMENT

Koshy,J.

This appeal is filed by the State challenging the award in L.A.R.No.31 of 1995. The above award was passed relying on Ext.A5 judgment in L.A.R.No.389 of 1994 with regard to the acquisition of adjacent plot. It is submitted that appeal filed from the above award was dismissed by judgment in L.A.A.No.364 of 1998. The ground taken in this appeal is that an appeal is filed against the relied on judgment. Since that appeal is dismissed, this appeal is also liable to be dismissed. Government pleader submitted that six months' time is required to deposit the amount. That is recorded.

The appeal is dismissed.

J.B.KOSHY
JUDGE

M.N.KRISHNAN
JUDGE

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